

U.S. Department of Justice



United States Attorney
Southern District of New York

86 Chambers Street, 3rd Floor
New York, New York 10007

February 1, 2008

BY FAX: (914) 390-4085

The Honorable Charles L. Brieant
United States District Judge
United States Courthouse
300 Quarropas Street
White Plains, New York 100601

Re: Kattan v. Killian, 07 Civ. 11605 (CLB)

Dear Judge Brieant:

I am the Assistant United States Attorney representing the respondent in the above-referenced case, a habeas petition brought pursuant to 28 U.S.C. § 2241 regarding petitioner's assignment to a residential reentry center. I write to respectfully request a brief extension, from February 6, 2008 to February 22, 2008, to file a response to the instant petition. This Office has not yet received the documents from the Federal Bureau of Prisons necessary to respond to the petition, and we require the additional time in order to obtain these documents and prepare a response. Accordingly, we respectfully request until February 22, 2008 to respond to the petition.

This is the Government's first request for an extension. I have spoken with petitioner's counsel, Richard Willstatter, Esq., concerning this request, and he consents only to an extension of one week, until February 13, 2008, because he believes the petition is time-sensitive. The Government, however, respectfully seeks until February 22nd to file a response because I will be out of the office from February 6th to February 11th, and have another brief due on February 13, 2008. Therefore, I will be unable to respond to this petition by that date.

Thank you very much for your consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:


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